

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LESHEA SMITH

PLAINTIFF

v.

CIVIL ACTION NO. 4:13CV00060-MPM-JMV

ISLE OF CAPRI CASINOS, INC., ET AL.,

DEFENDANTS

ORDER

Before the court is Defendant's Second Motion to Compel [27] filed December 24, 2013. In light of the fast approaching discovery deadline, the court directed Plaintiff's counsel to file an expedited response to the instant motion by 2:00 p.m., December 30. To date, however, Plaintiff has not responded.

Defendant Isle of Capri Casinos, Inc., seeks an order compelling Plaintiff to produce four items identified by Plaintiff during her December 16 deposition: 1) a notebook, 2) a diary, 3) a cell phone that contains audio recordings of her attempts to report sexual harassment to Defendant, and 4) phone records Plaintiff testified would show she contacted "corporate" and "HR" about alleged harassment. The court finds these items are responsive to discovery requests previously propounded by Defendant, and Plaintiff has yet to produce them. The court notes, however, that in response to Defendant's Motion [25] for leave to amend its Answer, Plaintiff indicated that "Defendant is welcome to access said cellphone" (Rsp. in Opp. to Mot. [28]). Accordingly, it is, therefore,

ORDERED:

That by 5:00 p.m. on January 10, 2014, Plaintiff shall fully and completely produce the four items that are the subject of the instant motion to compel or risk imposition of the full panoply of sanctions contained in Fed.R.Civ.P. 37.

This, the 8th day of January, 2014.

/s/ Jane M. Virden
U. S. Magistrate Judge